

T 1050—Involuntary petition (creditors' petition),
chapter 7 or 11, Form 5, a-91Blumberg
Law ProductsJULIUS BLUMBERG, INC.
PUBLISHER, NYC 10013

FORM 5 (4-90)

#43080

FORM 5. INVOLUNTARY PETITION

United States Bankruptcy Court		INVOLUNTARY PETITION
Southern District of New York		
IN RE (Name of debtor - if individual, enter: Last, First, Middle)		ALL OTHER NAMES used by debtor in the last 6 years (include married, maiden and trade names)
Akorp N.V.		96B40367
SOC. SEC. TAX I.D. NO. (if more than one, state all)		
STREET ADDRESS OF DEBTOR (No. and street, city, state and zip code)		MAILING ADDRESS OF DEBTOR (if different from street address)
De Ruyterkade 58-A P.O. Box 837 Willemstead, Curacao Netherlands Antilles		Willkie Farr & Gallagher One Citicorp Center 153 E. 53rd Street New York, New York 10022 Attn: Anthony F. Phillips, Esq.
COUNTY OR RESIDENCE OR PRINCIPAL PLACE OF BUSINESS		
New York County		
LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (if different from previously listed address)		
Olympic Tower Condominium Units 46-47A, 46B, 47D, 47E and 47F, 641 Fifth Avenue, New York, New York		
CHAPTER OF BANKRUPTCY CODE UNDER WHICH PETITION IS FILED		
<input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11		
JUDGE BLACKSHEAR		
INFORMATION REGARDING DEBTOR (Check applicable boxes)		
Petitioners believe <input type="checkbox"/> Debts are primarily consumer debts <input checked="" type="checkbox"/> Debts are primarily business debts (Complete sections A and B)		
TYPE OF DEBTOR <input type="checkbox"/> Individual <input type="checkbox"/> Corporation Publicly Held <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation Not Publicly Held <input type="checkbox"/> Other _____		
A. TYPE OF BUSINESS (Check one) <input type="checkbox"/> Professional <input type="checkbox"/> Transportation <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Retail/Wholesale <input type="checkbox"/> Manufacturing/Mining <input type="checkbox"/> Construction <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Other _____		
B. BRIEFLY DESCRIBE NATURE OF BUSINESS Debtor holds and operates the above condominium units in Olympic Tower		
VENUE		
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in the District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> A bankruptcy case concerning debtor's affiliate, general partner or partnership is pending in this District.		
PENDING BANKRUPTCY CASE FILED BY OR AGAINST ANY PARTNER OR AFFILIATE OF THIS DEBTOR (Report information for any additional cases on attached sheets.)		
Name of Debtor	Case Number	Date
Relationship	District	Judge

ALLEGATIONS

(Check applicable boxes)

1. ☒ Petitioner(s) are eligible to file this petition pursuant to 11 U.S.C. §303(b).
2. ☒ The debtor is a person against whom an order for relief may be entered under title 11 of the United States Code.
3. ☒ The debtor is generally not paying such debtor's debts as they become due, unless such debts are the subject of a bona fide dispute:
or
 b. ☐ Within 120 days preceding the filing of this petition, a custodian, other than a trustee, receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

COURT USE ONLY

 U.S. BANKRUPTCY COURT
 FILED
 JAN 26 11 15 AM '96

ROCKETEER

JAN 31 1996

Name of Debtor Akorp N.V.

Case No. _____

(Court use only)

FORM 3 Inventory Petition

TRANSFER OF CLAIM

☐ Check this box if there has been a transfer of any claim against the debtor by or to any petitioner. Attach all documents evidencing the transfer and any statements that are required under Bankruptcy Rule 1003(a).

REQUEST FOR RELIEF

Petitioner(s) request that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition.

Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.

X
Signature of Petitioner or Representative (State title)

The National Commercial Bank

Name of Petitioner

Name and Mailing

Address of Individual

Signing in Representative

Capacity

Steven A. Samir
Manager Treasury Operations
P.O. Box 3555
Jeddah, Saudi Arabia

X

Signature of Attorney **Steven J. Harvis (SJH 9417)**
Harvis & Trien, LLP

Name of Attorney Firm (If any)

750 Lexington Avenue

Address

(212) 593-0900

New York, New York 10022

Telephone No.

X

Signature of Petitioner or Representative (State title)

Name of Petitioner

Name and Mailing

Address of Individual

Signing in Representative

Capacity

X

Signature of Attorney

Name of Attorney Firm (If any)

Address

Telephone No.

X

Signature of Petitioner or Representative (State title)

Name of Petitioner

Name and Mailing

Address of Individual

Signing in Representative

Capacity

X

Signature of Attorney

Name of Attorney Firm (If any)

Address

Telephone No.

PETITIONING CREDITORS

Name and Address of Petitioner The National Commercial Bank P.O. Box 3555 Jeddah, Saudi Arabia	Nature of Claim Tax payment guaranteed by Akorp N.V. under Guaranty Agreement dated 11/21/86	Amount of Claim \$0,000.00
Name and Address of Petitioner	Nature of Claim	Amount of Claim
Name and Address of Petitioner	Nature of Claim	Amount of Claim
Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, petitioner(s) signatures under the statement and the name(s) of attorney(s) and petitioning creditor information in the format above.		Total Amount of Petitioners' Claims \$0,000.00

continuation sheets attached

B250E
(6/91)

United States Bankruptcy Court
Southern District of New York

In re

AKorp N.V.

Bankruptcy Case No.

96R40367

Debtor*

Social Security No. :

Employer Tax I.D. No.:

BK JUDGE BLACKSHEAR

SUMMONS TO DEBTOR IN INVOLUNTARY CASE

To the above named debtor:

A petition under title 11, United States Code was filed against you on January 26, 1996 (date) in this bankruptcy court, requesting an order for relief under chapter 7 of the Bankruptcy Code (title 11 of the United States Code).

YOU ARE SUMMONED and required to submit to the clerk of the bankruptcy court a motion or answer to the petition within 20 days after the service of this summons. A copy of the petition is attached.

Address of Clerk

One Bowling Green
New York, NY 10004

At the same time you must also serve a copy of your motion or answer on petitioner's attorney.

Name and Address of Petitioner's Attorney

Mark Chinitz, Esq.
Harvis and Trien, LLP
750 Lexington Ave.
NY, NY 10022

If you make a motion, your time to serve an answer is governed by Bankruptcy Rule 1011(c).

If you fail to respond to this summons, the order for relief will be entered.

CECELIA G. MORRIS

Clerk of the Bankruptcy Court

JAN 26 1996

Date

By:

Tracey F. ...
Deputy Clerk

*Set forth all names, including trade names, used by the debtor within the last 6 years. (Bankruptcy Rule 1005). For joint debtors, set forth both social security numbers.

AFFIDAVIT OF UNSECURED CLAIM

CONSULATE OF THE UNITED STATES OF AMERICA

JEDDAH, SAUDI ARABIA

)
: ss.
)

Saleh Ahmed Samman, being duly sworn, deposes and says:

1. I am Manager, Treasury Operations Department of the National Commercial Bank ("NCB"), whose address is P.O. Box 3555, Jeddah, Saudi Arabia. I have been duly authorized by NCB to make this Affidavit, and have personal knowledge of the matters addressed herein.
2. NCB is a creditor having an unsecured claim against Akorp N.V., a Netherlands Antilles corporation ("Akorp"), which claim is not contingent as to liability and is not subject to bona fide dispute, in the amount of not less than \$9,000.00. Said claim is an unsecured claim not subject to any lien held by NCB on Akorp's property, pursuant to that certain collateral waiver agreement executed by NCB and dated December 20, 1995.
3. Akorp's address is De Ruyterkade 58-A, P.O. Box 837, Willemstead, Curacao, Netherlands Antilles. The legal agent for Akorp in New York is Willkie Farr & Gallagher, One Citicorp Center, 153 East 53rd Street, New York, New York 10022, Att: Anthony F. Phillips, Esq. Upon information and belief, Akorp's principal assets is a certain condominium apartment comprised of units 46-47A, 46B, 47D, 47E, and 47F in Olympic Tower Condominium, 641 Fifth Avenue, New York, New York (the "Apartment"), which it has owned for not less than 180 days preceding the date hereof.
4. Akorp is generally not paying its debts which are not subject to bona fide dispute as they become due, as indicated by the fact that it has failed to pay its Apartment condominium common charges, and its New York City and New York State tax obligations at least for the past three (3) years.

Kingdom of Saudi Arabia
Western Province
City of Jeddah
Consulate General of the
United States of America

SS:

Signed:

Saleh Ahmed Samman

On the 14th day of January in the year 1996 before me personally came Saleh Ahmed Samman, to me known, who, being by me duly sworn, did depose and say that he resides in Jeddah, Saudi Arabia, that he is Manager Treasury Operations Department of The National Commercial Bank, the organization described in and which executed the above instrument; and that he signed his name thereto by authority of the said organization.

United States ~~Consul~~ Consul

KATHLEEN H. MANALO

CONSUL OF THE
UNITED STATES OF AMERICA